ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, October 19, 2010
7:00 p.m.

ROLL CALL:

PRESENT:	Mayor	John Chirkun
	Mayor Pro Tem	Robert Taylor
	Board Members	Salvatore Aiuto
		Jan Haggerty
		Frank Maisano
		Colleen McCartney
		Bill Shoemaker
ABSENT:		None

OTHERS PRESENT:

City Manager	Stephen Truman
City Attorney	Tim Tomlinson
City Clerk	Richard M. Steenland

Mayor John Chirkun called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

I. ROUTINE MATTER

1. Approval of minutes of meeting held October 5, 2010.

BOARD MEMBER FRANK MAISANO moved, BOARD MEMBER JAN HAGGERTY seconded to approve the minutes of October 5, 2010.
MOTION CARRIED UNANIMOUSLY

II. NEW BUSINESS

1. Public Hearing and Board consideration for variance to keep a metal shed erected within an easement and less than five (5) feet from the rear lot line on the property at 15878 Dugan, Shaun Jett, petitioner.

   Shaun Jett, 15878 Dugan, Roseville, appeared on behalf of this request and answered the Board Member's questions.

   City Clerk Richard M. Steenland received one letter in favor of this request.

   The following individuals spoke regarding this request:
   John Longo, 15907 Dugan, is in favor of this request.

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER ROBERT TAYLOR seconded to close the Public Hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER FRANK MAISANO moved, BOARD MEMBER BILL SHOEMAKER seconded to approve the petitioner's request for a variance based upon the finding that, the shed has been erected in such a manner as to be compliant with the City of Roseville rodent prevention requirement and movable if necessary.
MOTION CARRIED UNANIMOUSLY

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO KEEP A METAL SHED ERECTED WITHIN AN EASEMENT AND LESS THAN FIVE (5) FEET FROM THE REAR LOT LINE ON THE PROPERTY AT 15878 DUGAN, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-07-251-002 VAR. #3310

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2303 (1), will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.
6 Yea
1 Absent
MOTION CARRIED

2. Public Hearing and Board consideration for variance to keep a deck constructed on the roof of the garage on the property at 26319 Chippendale, Charles Freeman, petitioner.

Charles Freeman, 26319 Chippendale, Roseville, appeared on behalf of this request and answered the Board Member's questions.

City Clerk Richard M. Steenland received one letter in favor and one letter in opposition of this request.

Board Member Salvatore Aiuto arrived at 7:16 p.m.

No one from the public wished to be heard.

BOARD MEMBER FRANK MAISANO moved, BOARD MEMBER JAN HAGGERTY seconded to close the Public Hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER ROBERT TAYLOR moved, BOARD MEMBER SALVATORE AIUTO seconded to table the petitioner's request for a variance, to keep a deck constructed on the roof of the garage on the property at 26319 Chippendale.
MOTION CARRIED UNANIMOUSLY

3. Public Hearing and Board consideration for variance to install an outdoor patio on the property at 16420 13 Mile Road, Pub Froggy's, Steven Higel, petitioner.

Steven Higel, 16420 13 Mile Rd., Roseville, appeared on behalf of this request and answered the Board Member's questions.

City Clerk Richard M. Steenland received no correspondence.

The following individuals spoke regarding this request:
Lee Bault, 16435 13 Mile Rd, Fraser, is opposed to this request.
Dee Laramie, 16375 13 Mile Rd, Fraser, is opposed to this request.
Terry Mildren, 16461 13 Mile Rd, Fraser, is opposed to this request.

BOARD MEMBER FRANK MAISANO moved, BOARD MEMBER SALVATORE AIUTO seconded to close the Public Hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER BILL SHOEMAKER moved, BOARD MEMBER JAN HAGGERTY, seconded to approve the petitioner's request for a variance to install an outdoor patio on the property at 16420 13 Mile Road, Pub Froggy's; based upon the findings that an unique circumstance exists, being the property is surrounded on three sides by non- residential uses, the following stipulations will apply:

- No music played out side.
- Cease operation by 11:00 p.m.
- Reviewed in one year.

MOTION CARRIED UNANIMOUSLY

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO INSTALL AN OUTDOOR PATIO ON THE PROPERTY AT 16420 13 MILE, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-07-205-016 VAR. #3510

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2302-5-a, will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

MOTION CARRIED UNANIMOUSLY

4. Public Hearing and Board consideration for variance to keep an addition to the rear of the garage erected within an easement and less than five (5) feet from the rear lot line on the property at 26081 Groveland, Raymond A. Ford Jr., petitioner.

Raymond A. Ford, 26081 Groveland, Roseville, appeared on behalf of this request and answered the Board Member's questions.

City Clerk Richard M. Steenland received one letter and one petition containing 14 signatures (received at meeting) in favor of this request.

No one from the public wished to be heard.

BOARD MEMBER FRANK MAISANO moved, BOARD MEMBER JAN HAGGERTY seconded to close the Public Hearing.

MOTION CARRIED UNANIMOUSLY

BOARD MEMBER BILL SHOEMAKER moved, BOARD MEMBER JAN HAGGERTY seconded to approve the request for a variance based upon the finding that an unique circumstance exists, being access to the utility easement is available from the adjacent properties, by no means this variance supersede the utility easement.

MOTION CARRIED UNANIMOUSLY

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO KEEP ACCESS AN ADDITION TO THE REAR OF THE GARAGE ERECTED WITHIN AN EASEMENT AND LESS THAN FIVE (5) FEET FROM THE REAR LOT LINE ON THE PROPERTY AT 26081 GROVELAND, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-19-282-019 VAR. #3610

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2303, will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

MOTION CARRIED UNANIMOUSLY

III. HEARING OF THE PUBLIC

The following individual spoke:
Larry Finazzo, 31051 Kelly, Fraser.

IV. ADJOURNMENT

BOARD MEMBER ROBERT TAYLOR moved, BOARD MEMBER FRANK MAISANO seconded that the agenda having been acted upon; the meeting is hereby adjourned at 7:54 p.m.

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Richard M. Steenland, City Clerk